

# FARMINGTON CITY COUNCIL MEETING

Wednesday, June 4, 2003

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## **CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM**

***PRESENT:*** Mayor David M. Connors, Council Members David Hale, Bob Hasenyager, Larry W. Haugen, Susan T. Holmes, Edward J. Johnson, City Manager Max Forbush, City Planner David Petersen, and Deputy Recorder Jeane Chipman.

**Mayor Connors** began discussion at 6:30 P.M. The following items were reviewed:

- ▮ Mr. Forbush suggested the City Council consider deleting areas 2b, 2c, and 5a from Agenda Item #4 (the Protest Hearing for Special Improvement District No. 2003-01). The areas had received overwhelming opposition from property owners.
- ▮ Mr. Forbush briefly discussed issues about decorative lighting proposals for areas within the S.I.D. improvement districts.

## **REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER**

***PRESENT:*** Mayor David M. Connors, Council Members David Hale, Bob Hasenyager, Larry W. Haugen, Susan T. Holmes, Edward J. Johnson, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, and Deputy Recorder Jeane Chipman.

**Mayor Connors** called the meeting to order at 7:00 P.M. The invocation was offered by **Margy Lomax** and the Pledge of Allegiance was led by **Susan Holmes**.

## **APPROVAL OF MINUTES OF PREVIOUS MEETING**

**David Hale** moved to approve the minutes of the May 21, 2003, City Council Meeting. **Larry Haugen** seconded the motion. The voting was unanimous in the affirmative.

**PROTEST HEARING: HEAR AND CONSIDER EACH AND EVERY PROTEST FILED AND PERSON WHO WISHES TO BE HEARD IN PROTEST AGAINST THE CREATION OF FARMING, SPECIAL IMPROVEMENT DISTRICT NO. 2003-01 (THE "DISTRICT"), OR MAKING OF ANY OF THE IMPROVEMENTS THEREIN OR ON ANY OTHER MATTER PERTINENT TO THE DISTRICT (Agenda Item #4a)**

**Introduction of officials recording the protests and those available to answer questions when deemed appropriate**

**Mayor Connors** introduced Blaine Carlton (S.I.D. Attorney), Paul Hirst (City Engineer), Keith Johnson (City Finance Director), and Max Forbush (City Manager).

**Introduction of the S.I.D. project**

**Mayor Connors** reviewed the process governing Special Improvement District (S.I.D.) creation. An S.I.D. is a technique municipalities can use to help citizens fund improvements in participating areas. Such improvements are usually done by developers at the time subdivisions are constructed. However, in some circumstances needed improvements are left for adjoining property owners to make improvements. An example of such needed improvements existed in the downtown area where drainage systems, sewer pipes, roads, sidewalk, curbs, and gutters were very old and in extremely bad repair. An S.I.D. was created and improvements were finished with outstanding results. The City creates S.I.D.s in response to citizen requests. When a critical mass of projects is compiled, making it cost efficient to create an S.I.D., the City prepares the necessary studies and documents, works with an attorney, and sends a "Notice of Intention" to all affected property owners. The Notice describes the area involved and the proposed improvements, including estimates of costs that each property owner could be assessed. When created, S.I.D.s spread the cost of the total project across the participating area in a legally described, equitable manner. Because the City can obtain very low interest rates for such projects, further savings are available. After the Notice has been mailed, a protest hearing is conducted to discuss the proposals. The Mayor emphasized the fact that all proposals are brought to the City by the people in each area. If it is found that the majority of property owners are opposed to the proposed improvement projects for their area, the City Council has no reason to move forward and will likely delete the project from the Special Improvement District.

Mayor Connors stated written comments had been received and that at least three proposed projects had already received protests from nearly 100 percent of the property owners. Therefore, the City Council will delete areas 2b, 2c, and 5a from the proposed S.I.D. Mayor Connors described those areas. Area 2b included curb, gutter, and sidewalk and related improvements along 1500 West from the north property line of Oakridge Country Club going north for approximately 1,450 feet. Areas 2c included sidewalk installation and related improvements on portions of 1500 West, 1800 North, and 1875 North (approximately 1,932 feet). Area 5a included the installation of sidewalks, and other related improvements along portions of 200 South and south Main Streets.

Mayor Connors stated that Max Forbush (City Manager), Keith Johnson (City Finance Director), Blaine Carlton (S.I.D. attorney), and Paul Hirst (City Engineer) were present to provide needed information, project parameters, locations, advice, and protest percentages as needed.

**Public Hearing**

The Mayor opened the meeting to a public hearing and stated that each area would be taken one by one. He and the City Council appreciated the time of the citizens and were open to and encouraged all comments.

**Public Comments, Area 5a Area 2b, and Area 2c**

Once the Mayor mentioned Area 5a was being deleted, most property owners affected in

that area left the hearing.

**Area 2b and 2c Comments:**

**William Johnson** (1499 Moss Lane) thanked the City Council for listening to citizen wishes regarding opposition to a S.I.D. in Area 2b and 2c. He also stated his appreciation for recognition by the City Council that Farmington does not end at Highway 89.

**Darcy Zenger** (Moss Lane) stated the people who feel a need for the sidewalk are the ones coming from other areas. They are not the ones who will be paying for it. The cost of the improvement is so high that it would be a terrible burden on those expected to pay for it.

**Gary Elliott** (1386 West Sweetwater Lane) agreed that there were some things that needed to be done in his neighborhood. For example, correcting the terrible traffic problems created because of the 1075 North closure. He also stated citizens should have received advanced notice of projects such as the proposed S.I.D. He felt that projects such as the one in south Farmington where pathways leading to Reading Elementary were improved for the safety of children were justified. However, improving a pathway behind the homes in Area 2c was not even a benefit to the property owners. Addressing the problems with the drainage in the area was much more important. Some things the City is doing do not help the citizens.

**Doug Summers** (owner of Lot #41) felt he was being assessed an unfair amount just because his frontage was more than his neighbors'. He felt the Council should recognize the unfair impact assessments are for one citizen.

**Larry Coates** (1372 West Sweetwater Lane) stated there had been a meeting many years ago where the City Council had promised the citizens in his neighborhood that if they paid for curb and gutter improvements along 1800/1875 North they would never have to do it again. He felt that promise was being broken. Since everyone in the community would benefit from the proposed improvements, it was unfair for the City to ask just 26 property owners to burden the total cost. He discussed needed road improvements and the impact traffic was having on the neighborhood.

**Mr. Forbush** responded to Mr. Coates' comments by saying that former City Councils could not legally bind future actions of Councils. As needs and situations change, Councils try to be responsive in appropriate ways for the benefit of Farmington citizens. He stated there had been valid comments made and that citizens needed to be aware that proposing an S.I.D. is not the same as creating one. The "Notice of Intention" was for the protection of citizen rights and the current City Council was eager to hear the wishes of the property owners.

**Ilene A. Humphries** (1313 West 1800 North) felt Farmington was a beautiful and special town with many great neighborhoods. She suggested a solution to the current problem, and that was to install a sidewalk on the north side of the street.

**Mayor Connors** said when the area to the north is developed, there is no doubt but that

the developer will be required to install sidewalk, curb and gutter.

**Paulette Olsen** (1289 West 1875 North) repeated comments earlier regarding promises made by former City Councils. She stated if curb and gutters were installed it would destroy the current driveways. She felt the City should pay for the sidewalk if it needed to be installed.

**Mr. Forbush** stated the City's General Plan called for a sidewalk along 1800 North to provide a safe, walkable community.

**Cindy Roybal** (1875 North) knew the City was proposing the improvement for the safety of the school children and appreciated their concern. The children affected were being driven to school and would not need the sidewalk. Ms. Roybal felt the advantages of the sidewalk did not outweigh the disadvantage of taking out the mature landscaping along the street.

**Mayor Connors** explained it had not been the desire of Farmington officials to close 1075 West. It had been closed by UDOT as a response to dangerous traffic patterns caused by reconstruction of the Highway 89 and consequent closures. The first few days traffic routes were changed, a number of serious traffic accidents occurred at 1075 West and Shepard Lane. The City had asked for a temporary signal at that intersection to provide safety for the increased traffic but were denied—hence, the closure by UDOT. The Mayor detailed plans for future construction plans, temporary traffic resolutions, and the hopes of City officials that traffic from west Kaysville can be routed away from Farmington residential areas.

With no further comments, the Mayor closed the portion of the public hearing relating to Areas 2b and 2c and Area 5a.

### **Public Comments, Area 1**

No protests had been filed regarding Area 1 prior to the meeting. None were voiced during the meeting. Improvements in Area 1 included installation of sidewalk, curb, gutter, an 8-inch culinary water line, asphalt paving, storm drainage improvements, and other related projects along portions of 475 South west of 1100 West. With no further comments, the Mayor closed the portion of the public hearing relating to Area 1.

### **Public Comments, Area 2a**

**Mr. Forbush** reported the improvements in Area 2a related to an agreement currently being negotiated between the City and Oakridge Country Club. Details of the agreement would be reviewed by the City Council at the special City Council meeting to be held June 11<sup>th</sup>. Improvements included curb and gutter, sidewalk, asphalt tie-ins and installation of a 3-rail decorative steel fence, with related improvements along 1500 West (east side).

**Chris Marriott** (1444 North 1500 West) asked for and received confirmation of the exact location of improvements for Area 2a. She lived on the west side of the street and worried she might be assessed for the improvements.

With no further comments, the Mayor closed the portion of the public hearing relating to Area 2a.

### **Public Comments, Area 3**

#### **Summer Wood Subdivision**

**Mayor Connors** stated he lived in the Summer Wood neighborhood. Due to that fact he would not participate in discussion or decision-making actions affecting the area. He also explained that in any event, the Mayor does not vote.

**Mr. Forbush** explained that currently there are no standards requiring developers to install anything but wood pole lighting in any subdivision. Some subdivisions throughout the City have requested decorative lighting. The cost of such lighting would have to be borne by property owners. He stated the cost of the decorative lighting could be lowered when exact numbers are determined by engineers. Estimates had been high.

**Kent Hinckley** ( 1876 Summer Wood Road) felt he leaned more towards opposing the proposal because he believed there was enough lighting in the subdivision. Mr. Hinckley stated lights were a magnet for vandalism in the neighborhood.

**Ron Horne** (2134 North Summer Wood Court) had contacted the City and asked for more lighting in the neighborhood. He had no light near his home and tried to light the area at night with his residential light, at an added expense to himself. There had been several near-accidents in the area because of the darkness. Mr. Horne contacted police officers who told him that emergency vehicles needed street lighting for safety response. He had also received the endorsement of the City's Architectural Committee. He supported the notion of installing decorative lighting by means of a S.I.D.

**Rick Dutson** (794 West Emerald Oaks) knew there was a need for additional lighting, but was overwhelmed with the cost.

**Mayor Connors** reported the costs reported in the "Notice" were estimates. If the proposal was approved the number of lights installed would likely be lower.

**Mr. Dutson** stated he was in favor of the proposed lighting suggestions.

With no further comments, the Mayor closed the portion of the public hearing relating to the Summer Wood area.

#### **Shepard Heights Subdivision**

No protests had been filed prior to the meeting.

**Leon Staciokas** (owner of Lot #45) stated the subdivision was less than 10 percent occupied. To have that few property owners pay for the light fixtures was an unfair burden. He was in opposition to the project.

**Nancy Nappy** (307 West Grandview Court) stated there was no lights on her street. She questioned the fairness of the method of assessment.

**Mr. Forbush** explained in brief the legal guidelines for assessment and the rationale used in calculating the costs.

#### Compton's Pointe Subdivision

No written protests had been received prior to the meeting.

**David DeCoursey** (owner of lots 10, 11, 2, 3, 6, and 16) stated he was in favor of the lighting plan for the Shepard Heights Subdivision with conditions. Not all rules apply with equal effectiveness in all areas of the City. He felt too much lighting in the Shepard Heights Subdivision would ruin the night time view of the City from the hillside. He was supportive of the safety enhancements provided by judicious lighting. He thought 3 lights would be good for the entire subdivision. The Mayor commented that an exact number of lights to be installed could not be determined at this time.

With no further comments, the Mayor closed the portion of the public hearing relating to the Shepard Heights Subdivision.

#### Oakridge Farms Subdivision

Of the 105 lots in the Oakridge Farms Subdivision, 46 had submitted protest statements.

**Valoy Richards** (1419 North 1500 West) was in favor of the decorative light proposal. She said it was the third time she had been in on a discussion for the needed additional lighting. Increased lighting would discourage crime and would be a great safety factor of children. Once installed, the City would maintain the lights. Ms. Richards felt that once people in her area received proper information they would withdraw their protests.

**Dan Haltinner** (1571 West 1400 North) was opposed to the proposal because it was more expensive that it needed to be. He was not convinced that additional lighting of any kind was needed. He felt lights on the homes themselves would be a better safety factor than street lighting.

**Tom Morgan** (1436 North 1670 West) was in favor of the project. He said street light does increase safety and reduce crime. He stated he appreciated the improvements that had already been made in his neighborhood by the City. Mr. Morgan had discussed the situation with police officers and had found crime statistics do decrease with additional lighting. He mentioned several serious crimes that had occurred in his neighborhood over the past year and stated it was

time to help correct the problem.

**Alan Wursten** (1297 North 1580 West) was opposed to the project. He stated he did not believe the lighting project would increase the value of his property. The freeway so close was a deterrent to value and lighting would do nothing to change that. The cost of the project would effectively raise taxes by 6 percent. Economic conditions in the nation were very difficult and the City should not impose extravagant expenses on its citizens. Mr. Wursten stated he felt pressured to approve the luxury.

**Ken Stuart** (1491 North 1700 West) opposed the proposal. He agreed with comments made by Mr. Wursten and that crime would be deterred more by house lighting than street lighting. He also felt the process with which the City was conducting the hearings was unfair. According to his understanding, if a citizen did not protest the project it was assumed he was in favor. Mr. Stuart believed the viability of the project ought to be measured by those submitting letters of support, not by assuming a non-response meant support. He felt in this case, that most of his neighbors were in opposition.

**Rick Wyss** (1442 North 1670 West) felt citizens should understand the City was following Utah State statutory process in conducting the protest hearings. If they wished the process to be changed, they should contact state legislators not City officials. He was in support of the lighting additions. In discussions with four people who had originally opposed the project, 3 wanted to withdraw their protests after gaining more information. The fourth felt he needed further information before deciding. Protests submitted had come from a duplicated letter placed on each doorstep which contained erroneous information. Mr. Wyss felt that the people of the area needed to be well informed before making their decision. For one thing, the cost of the lighting project would be spread over a ten year period. Also, the costs listed in the "Notice" letter were estimates. He lives in a cul-de-sac where it is very dark and very dangerous. A child safety issues is very critical. Mr. Wyss had talked to police administrators who affirmed that increased lighting in neighborhoods greatly benefitted the community. The cost of the project was small compared to the safety of children.

**Mayor Connors** discussed whether or not protests could be added or withdrawn with legal council present in the meeting. Technically, the deadline for protests had passed. However, the City Council would not ignore additional protests for proposed projects possibly as late as June 11<sup>th</sup>. Withdrawals would be accepted up until the time of City Council action which was planned for June 11<sup>th</sup>.

**Bob McKeen** (1371 North 1670 West) protested the project originally based on cost concerns. He felt the expenditure was excessive. Mr. McKeen was in favor of additional lighting because of the safety issues but felt there could be a less expensive solution. He withdrew his protest.

**Jerry Godfrey** (1438 North 1670 West) had watched the development of the area for many years. He agreed that lighting was a safety issue and the lack of night street lighting was an invitation to criminal activity. He felt the project was worth the small month cost and would

create immediate and long range value to the neighborhood. He thanked the City Council for improvements already being made and stated his belief that the lighting project was needed.

**Paul Hayward** (1663 West 1410 North) had worked for many local governments and was acquainted with laws and procedures. He felt it was important for citizens to become involved in the process. He had been involved with the architectural committee that helped keep the standards of his neighborhood high. He felt that sound mitigation was needed for the area. And he felt that additional lighting was needed for his neighborhood for safety reasons. However, he felt that the project could be accomplished in a less expensive manner. Overall, he felt it was a good investment and was in favor of the project.

**Julie Stringfellow** (1631 West 1410 North) had lived west of the City Cemetery years ago in an area that had decorative lighting. After a while, the lights fell into disrepair and the City took them out. She feared the same thing would happen in the Oakridge Farms area.

**Max Forbush** explained that the previous light fixtures addressed by Ms. Stringfellow had been paid for by individual home owners who were charged a monthly fee. After a number of years, the cost was prohibitive and the fixtures were not maintained. The City could not maintain them and so removed them. Currently, if the lights are installed Utah Power and Light will maintain them. It is unlikely the same thing will happen as experienced in the area west of the City Cemetery years ago.

**Ms. Stringfellow** expressed her feeling that current street lighting is already too intrusive. Decorative lighting would be nice but too expensive.

**Russ Alley** (1338 South 1670 West) opposed the project. He felt most criminal activity in the area was due to mischievous teenagers. He was concerned that more and more expenses would be asked of citizens in the future. He stated the decorative lighting project was, in his opinion, frivolous.

**John Naylor** (1565 West 1290 North) said decoratively lighting has no guarantees that there will be less crime in the area where it is installed. He felt if there were spots where it was too dark, then perhaps those areas should have a light installed. It was not necessary to install decorative lighting in the entire neighborhood.

**Mike Larsen** (1422 North 1620 West) was opposed to the project because of the cost. He felt it was not right to install such expensive lights. He had written the duplicated protest letter. He stated he did not put it on every door step and that he did not intend any misinformation. To his understanding, all information included in the letter was correct. Mr. Nelson felt it seemed wrong to have the City go about making improvements in the manner being followed. The City Council had no real interest in what the citizens wanted. The decorative lighting fixtures were ugly and there was certainly a better design. His biggest concern, however, was the process of the S.I.D. creation.



**Sue Webb** (1621 West 1331 North) asked if the additional lighting would fix the problem of brown-outs in the area. She stated she was opposed to the project because other issues needed to be addressed first.

**Janet McKeen** (1371 North 1670 West) asked if the number of lights could be reduced.

**Mayor Connors** reiterated that the number of the light fixtures was an estimate and that when more information and engineering is accomplished the numbers would likely go down. With no further comments, the Mayor closed the portion of the public hearing relating to the Oakridge Farms Subdivision area.

#### **Public Comments, Area 4**

**Leo Wilcox** (1110 South 200 East) stated there was no need for curb and gutter along 200 East. He had lived there his entire life. There was a time that for the safety of school children, the sidewalk would have been nice, but that time has passed. There is a sidewalk on the west side of the street, there is no need for one on the east side. The cost is way too high.

**Mayor Connors** clarified that the project proposal for Area 4 was for curb and gutter only, not for sidewalk.

**Chris Simmons** (1075 South 200 East) was opposed to the project. He said he could not afford the cost. Also, installation of curb and gutter would negatively affect access to his property, especially in the winter when there would be safety issues involved. He felt the project was needless and too expensive.

**Rick Banovich** (1700 South 200 East) said the project would harm his driveway approach. Since he was a full-time student, full-time worker and had a family to support, there was no way he could afford the exorbitant cost of the project.

**Jim Moore** (969 South 200 East) was opposed to the proposed curb and gutter. It was too expensive and it would ruin the landscaping and pavement on the frontage of his property. He had written a protest letter to the City stating his opposition. Mr. Moore also felt the drainage from the east would be negatively impacted. There would be no benefit to him if curb and gutter were to be installed. He asked if the project were approved, would there be a way to eliminate his property from the S.I.D.

**Harlow Wilcox** (1149 South 200 East) had also written a protest letter. He questioned the process by which S.I.D.s were created. He also said there were erosion problems on the east side of 200 east and if curb and gutter were installed the problem would be exacerbated. There was also a fairness issue. Since the curb and gutter would be a street improvement for the benefit of all citizens, he felt the City should pay. It was not equitable for property owners to burden the entire costs. Mr. Wilcox questioned the percentage of protests already submitted and felt that if anywhere near 50 percent had opposed the project it should be eliminated. Farmington is a quaint town that should have its characteristics protected. He also had concerns about the increase

money asked for by the City and felt that even a little costs added to everything else was a large accumulation. The project was not really needed.

**Russ Workman** (1099 South 200 East) asked if protests would be accepted up until the time of the next meeting. He believed there would be more than the needed 51 percent of protests if that was allowed. He also rehearsed what he understood to be Utah law allowing for a different process when so few people were involved in a project area. He hoped the City would change its policies in the future and research citizens who consented to projects rather than giving a deadline for protests and assume consent after a deadline had passed. Mr. Workman referred to the care Mr. Moore took of his frontage and stated he felt curb and gutter would destroy Mr. Moore's nice looking landscape. The project was not a real benefit to the citizens. Mr. Workman stated he could not find anyone along 200 East who was in favor of the proposal.

**Scott Karren** (1085 South 200 East) was opposed to the project. He asked who had suggested it be done. He had not talked to anyone in favor of the proposal. Mr. Karren felt it was a waste of money to install curb and gutter on the east side of 200 East because it would benefit no one

and cause retention problems. He also felt the City should not suppose people were in favor if they did not protest officially.

**Terry Glover** (owner of property along 200 East) felt the proposal was poorly timed. He felt there may be a time in the future when development came to 200 East when the curb and gutter could be installed without undue burden on the current property owners. He said a greater problem exists in the area and that was storm drainage. The storm drain system needed to be studied by the City engineers before serious development began. He also questioned the process being followed for the S.I.D. creation.

**Ralph Wilcox** (Bountiful resident, owner of property in the area) said his property included 164 lineal feet which would result in a very high price for the project. He protested the proposal and felt the City needed to invoke a different process. He had not heard of anyone who was in favor of the project on 200 East.

**Mr. Forbush** stated there were a number of parcels in the area now being developed in which curb and gutter will be required. He suggested reconsideration of the proposal at a time when the area has more fully developed and only a few small areas needed the help of an S.I.D.

With no further comments, the Mayor closed the portion of the public hearing relating to Area 4. He commented that the City Council was wise enough not to ignore protests that would come in within the next week.

#### **Public Comments, Area 5b, 1 and 2**

**Andrew Buckley** (owner of property on 450 South) protested the project to install curb,

gutter, and sidewalk in front of his house for several reasons: 1) the historical nature of the home would be impaired with the addition of a sidewalk, 2) there is not need for pedestrian safety because school children don't use the route, 3) there is a sidewalk on the other side of the street, 4) the cost is prohibitive, 5) the requirement is for a 5 foot wide sidewalk, the adjacent sidewalk is only 4 feet wide, and 6) the installation of the sidewalk would require taking out a mature tree.

**Mr. Forbush** stated the Buckley property was added to the proposed S.I.D. for public safety reasons. It is the only property along the north side of the street without sidewalk. Children do use the route to get to Farmington Elementary from areas to the east. Properties along 100 East have not been asked to install curb and gutter because there is severe drainage problems in that area and because there is not general walking public using that street. It is a dead end. The City has tried for 25 years to widen 450 South and bring it up to City standards. Sidewalk installation will have to be done within the City's street right-of-way. Mr. Forbush agreed that the sidewalk should be 4 feet in width.

**Ryan Perkins** (owner of property on 450 South, just east of the Buckley home) stated traffic on 450 South had been reduced with the addition of the 650 South throughway. Because the neighborhood was aging, there was not as many school children who used the 450 South route to the elementary. He concurred that the historic nature of the Buckley home should be maintained and the tree in the front yard protected.

**Robert Straatman** (owner of property on 185 East) felt that when the property was improved was the time to ask for the curb and gutter installation. He was opposed to the project for Area 5 b2 and Area 5e.

#### **Public Comments, Area 5c, 5d, 5e,**

**Mr. Johnson** reported that well over 50 percent of the property owners in area 5e were opposed to the project.

**Jackie Hardy** (94 West State Street) expressed her opposition.

#### **Motion**

**Mayor Connors** stated that in light of the high percentage of opposition to projects proposed for Areas 2b, 2c, 5a, 5d, and 5e, it may be advisable to consider their deletion from the S.I.D. list. City Council members concurred.

**Bob Hasenyager** moved that Areas 2b, 2c, 5a, 5d, and 5e as described in the packet material be deleted from Special Improvement District consideration. **Larry Haugen** seconded the motion, which passed by unanimous vote.

After a brief discussion regarding curb and gutter along 200 East, **Ed Johnson** moved to eliminate Area 4 as described in the packet material from Special Improvement District consideration. **Susan Holmes** seconded the motion, which passed by unanimous vote.

### **Further Discussion**

**Mr. Hasenyager** commented that he would like to see the City Council study options for lighting in the Oakridge Farms area. He felt a need for better information upon which to base a decision.

**Mr. Hale** felt people in the Oakridge Farms area may approve the lighting project if the cost could be reduced.

**Mr. Hasenyager** also asked that the City Council receive more information regarding safety standards and how many light poles would be suggested by engineers to be effective.

**Mr. Forbush** stated he would look into the matter. He would contact Utah Power and Light about the number and placement of poles needed. He said he was told by Steve Rush that the power company would not charge to remove the wood poles currently being used.

**Mayor Connors** suggested that discussion of Agenda Item #4b be continued to the next meeting. Council members concurred.

### **REPORT OF PLANNING COMMISSION (Agenda Item #3)**

**David Petersen** reported proceedings of the Planning Commission meeting held May 22, 2003. He covered the following items:

1. On May 8<sup>th</sup>, the Planning Commission denied the Blakewood Development LLC request regarding an amendment to the Farmington Creek Estates Phase II PUD (located southeast of Country Lane, north of Glovers Lane and west of the old DRGW RR tracks) because the amendment request met with a great deal of public opposition. Thereafter, the developers met with citizens and redesigned the project to more closely comply with the original agreement. The Planning Commission recommended approval of the recent application containing the new design at their last meeting on May 22.

2. Bill Peterson applied for conditional use and site plan approval to remove an existing billboard and construct 2 new billboard signs at the southwest corner of Glovers Lane and the Frontage Road in a C zone. The Planning Commission tabled the item to allow for further study.

3. The Planning commission approved Charles and Sally Clark's application for conditional use approval to exceed the 15 foot height limit set for accessory buildings by constructing a garage approximately 18 feet in height located at 368 West State Street.

4. Harv Jeppson had requested consideration of a Bed and Breakfast Inn as a conditional use in residential zones. He was unable to attend the meeting, therefore the item was not considered.

5. The Planning Commission discussed a request to consider adding accessory dwelling units as a conditional use to west Farmington residential zones.

**MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #5)**

**Larry Haugen** moved to approve the following items by consent as follows:

1. Ratification of Approvals/Construction Bond Agreements
2. Approval of April's List of Disbursements
3. Approval of Public Improvements Extension Agreement between City and Trent B. Jones.
4. Approval of Fire Department's Fund Raising Request

**Bob Hasenyager** seconded the motion, which passed by unanimous vote.

**CONSULTING AGREEMENT WITH ROSS CONSULTING COMPANY FOR ECONOMIC AND MARKET ANALYSIS OF PROPERTIES IN BURKE LANE INTERCHANGE AREA/DAVID PETERSEN (Agenda Item #6)**

According to packet information, David Petersen and Keith Johnson met with Tom Wooten of the Ross Consulting Company to discuss doing a market analysis of properties in and around the Burke Lane interchange including the Haws development site. The purpose of this study is to provide recommendations to the City Council which document the feasibility of types of property uses in this area (i.e., which area should be designated for regional retail, what is the likelihood of an office park/employment center success, etc.)

**Mr. Hasenyager** requested that exact descriptions of areas under consideration be provided.

**RESOLUTION ACCEPTING FOR STUDY ANNEXATION REQUEST OF 11.86 ACRES OF PROPERTY LOCATED ADJACENT TO OAKRIDGE FARMS SUBDIVISION, NORTH OF SHEPARD LANE, WEST OF 1500 WEST AND EAST OF THE I-15 FRONTAGE ROAD/DAVID PETERSEN (Agenda Item #7)**

**Motion:**

**Bob Hasenyager** moved that the City Council adopt Resolution No. 2003-21, a resolution receiving an annexation petition from Jerod and Sharon Jeppson and John and Heather Jeppson for consideration by Farmington City. **Susan Holmes** seconded the motion, which passed by unanimous vote.

**RESOLUTION AMENDING AND ADOPTING PERSONNEL POLICIES AND**

**PROCEDURES FOR FARMINGTON CITY/MAX FORBUSH (Agenda Item #8)**

**Mr. Forbush** stated that proposed personnel policy amendments had been reviewed by the executive staff and by the City Council Personnel Committee. An invitation had been extended to all employees for their review. No comments had been received.

**Motion:**

**Bob Hasenyager** moved that the City Council adopt Resolution No. 2003-22, a resolution amending and adopting the Farmington City Personnel Policies and Procedures. **Ed Johnson** seconded the motion, which passed by unanimous vote.

**AGREEMENT WITH RDA OF FARMINGTON CITY REGARDING CONSTRUCTION/INSTALLATION OF RECREATION AND/OR CULTURAL FACILITIES/MAX FORBUSH (Agenda Item #9)**

**Mr. Forbush** stated he had be informed by Jonalynne Walker (the City's RDA consultant) of a change in the law which will permit the Redevelopment Agency of Farmington City to use that portion of the tax increment above the 75% currently being collected if the funds were used for purposes of constructing or improving recreational and/or cultural facilities in the City. In order for the City to use these funds (about \$30,000 per year), the Redevelopment Agency must notify the taxing entities prior to the County finalizing its assessment roll. It is also necessary for both the Redevelopment Agency and the City Council to pledge revenues from this source solely for the purposes contained in the attached agreement. The City Manager has defined the possible uses broadly to enable the City Council to pick and choose which project it wants to fund. The additional increment to be taken does not include tax revenues that will go to the Davis County School District. Hence, the available revenue is \$66,417 for the first year. When a discount is applied to the portion taken by the Davis School District (55%), the \$66,417 is multiplied by the remaining 45% of available tax increment.

**Motion:**

**David Hale** moved to approve the agreement with the Redevelopment Agency of Farmington regarding construction and installation of recreational and/or cultural facilities as presented. **Larry Haugen** seconded the motion, which passed by unanimous vote.

**OAKRIDGE/FARMINGTON CITY AMENDED AGREEMENT (Agenda Item #10)**

**Mr. Forbush** explained the negotiations under way with Oakridge Country Club, especially regarding fence installation and maintenance and liability protection. There had been a slight discrepancy with regards to granting permission for fence relocation. However, Mr. Forbush stated that language could be added that would call for acceptance by both parties before fence relocation could take place. The final draft of the agreement will be brought before the Council at the special City Council meeting on June 11<sup>th</sup>. The City Council, by consensus, gave conceptual approval to the work being done on the agreement.

**TUSCANY COVE DEVELOPMENT AGREEMENT (Agenda Item #11)**

**Mr. Hasenyager** asked for clarification regarding a previously proposed stub road leading from the Tuscany Cove area to areas to the north.

**Mr. Forbush** explained that because of the grade and other restrictions, a redesign had been necessary. He briefly described the current design for the stub road leading to the north.

**REPORT ON NEGOTIATION SESSION WITH RICH HAWS/COMMENTS FROM UDOT REGARDING SIGNAGE AND LANDSCAPING/MAY CONNORS (Agenda Item #12)**

The agenda item was not ready for consideration. **Mayor Connors** stated he felt it was important that the City make a decision regarding the name of the new road leading to the Haws development. The signage plan was originally proposed ("Farmington Parkway") complicated and would not serve the City.

**ROTARY CLUB REQUEST FOR "CITIZEN OF THE YEAR" NOMINATIONS (Agenda Item #13)**

After discussion, the City Council by consensus, nominated Joe Wilcox for consideration by the Rotary Club as "Citizen of the Year."

**REPORT ON NEGOTIATIONS WITH DAVID PLUMMER/MAYOR CONNORS AND DAVID PETERSEN (Agenda Item #14)**

The agenda item was deferred.

**BID AWARD/STREETS PROJECT (Agenda Item #15)**

**Motion:**

**Larry Haugen** moved that the City Council award the seasonal street paving project, Alternatives A and B, to Kilgore Paving and Maintenance. **Susan Holmes** seconded the motion, which passed by unanimous vote.

**DISCUSSION: STORM WATER FEE CREDIT POLICY (Agenda Item #16)**

**Mr. Forbush** explained the process which would be in place for non-residential property owners who desired a credit for installing storm water improvements benefitting the City.

The City Council briefly discussed the issues involved. It was a concern that the City not be faced with a financial shortfall when proceeding with the federally mandated project. Future development will know beforehand what costs will be required. However, current non-residential property owners, including Lagoon, may have strong concerns about the fees.

After discussion, by consensus, the City Council decided to meet earlier than scheduled on June 11<sup>th</sup> to discuss the agenda item in more detail. The meeting will begin at 6 P.M.

## **MISCELLANEOUS**

### **Truck Parking Problem**

Mr. Hasenyager reported a large truck being parking in the FABL area which was causing problems for traffic and pedestrians.

### **Community Center Issues**

Mr. Johnson felt that concerns raised by Paul Hayward regarding the design of the Community Center may be valid and should be addressed.

### **Wasatch Energy Issues**

Mr. Haugen stated that household hazardous waste can be taken to the Burn Center for no charge.

### **Flag on Flag Rock**

Mr. Haugen reported that Randy West had requested the City provide a flag to be placed on the foothills of the City at a location called Flag Rock.

### **Water Conservancy**

Mr. Haugen reported City sprinklers needed to be adjusted on 600 North. The sprinklers were watering the street.

Mr. Hasenyager suggested having the sprinkler system turned off on Memorial Day next year.

### **Swimming Pool Motor Problems**

Mr. Forbush reported that the pump motor at the swimming pool that controls water circulation and cleaning had burned out and had caused the pool to eventually be closed by the Health Department. The problem was evaluated by an electrical engineer and will be fixed. The pool was back in operation.

### **Brass Comb Report**

The Brass Comb building is nearly complete. Mr. Forbush reported there may be an interested buyer. Fencing for the back of the property was briefly discussed.



**ADJOURNMENT**

**Larry Haugen** moved that the meeting adjourn at 11:25.

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Margy Lomax, City Recorder  
Farmington City